



GP 1755

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

17

Applicant : Reitz et al.

Serial No.: 09/433,202

Filed : November 4, 1999

For : PARTICLE DISPERSIONS

Group Art Unit: 1755

Examiner: M.
Marcheschi

Docket No.: N19.12-0026

TECHNOLOGY CENTER 1700

MAR - 1 2001

RECEIVED

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION (37 CFR § 1.321(b))**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Interest of Person Making This Disclaimer

I, Nobuyuki Kambe, represent that I am

- ☐ an inventor of this invention.
- ☐ an assignee of this invention.
- ☒ a representative authorized to sign on behalf
of the assignee of this invention.

Identity of Assignee and Title of Disclaimant (If Applicable)

The assignee is NanoGram Corp., 46774 Lakeview Bld.,
Fremont, CA 94538. The title of the Disclaimant is Vice President
for Market Development, and the Disclaimant is authorized to sign
on behalf of Assignee.

Extent of Interest

The extent of NanoGram's interest is in

- ☒ the whole of this invention.
- ☐ a sectional interest in this invention as
follows: .

Disclaimer

I (we) hereby disclaim the term of any patent granted on
the above-identified application subsequent to

- ☐ the full term of United States Patent No.
as presently shortened by any terminal
disclaimer,

- 2 -

or

[X] the term of any patent granted on application
number 09/136,483,

and hereby agree that any patent so granted on the above-identified
application shall be enforceable only for and during such period
that the legal title to said patent shall be the same as the legal
title to

[] United States Patent No. __,

[X] any patent granted on application number
09/136,483,

this agreement to run with any patent granted on the above-
identified application and to be binding upon the grantor, its
successors or assigns.

We do not disclaim any terminal part of any patent
granted on the above-identified application prior to the expiration
date of the full statutory term of

[] United States Patent No. __, as presently
shortened by any terminal disclaimer

[X] any patent granted on application number
09/136,483,

in the event that it later: expires for failure to pay a
maintenance fee, is held unenforceable, is found invalid, is
statutorily disclaimed in whole or terminally disclaimed under 37
CFR § 1.321(a), has all claims canceled by a reexamination
certificate, or is otherwise terminated prior to expiration of its
statutory term as presently shortened by any terminal disclaimer,
except for the separation of legal title stated above.

NANOGRAM CORP.

By: Nobuyuki Kambe
Nobuyuki Kambe
Vice President for Market Development

Date: 2/21/2001



- 3 -

Fee Status

(37 CFR § 1.20(d))

- ☐ other than a small entity \$110.00
- ☒ small entity status of this application under 37 CFR §§ 1.9 and 1.27 is established by a verified statement previously submitted. \$ 55.00

Fee Payment

- ☒ Attached is a check in the sum of \$55.00.

The Commissioner is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123. A duplicate copy of this communication is enclosed.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: Peter S. Dardi

Peter S. Dardi, Ph.D., Reg. No. 39,650
Suite 1600 - International Centre
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222
Fax: (612) 334-3312

PSD/nhw